

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

Montgomery Blair Sibley,

Plaintiff,

Case No.:6:19-cv-06517-FPG

vs.

**MOTION *PROCEDENDO AD JUSTICIUM* AND
MEMORANDUM OF LAW IN SUPPORT**

Chauncey J. Watches, solely in his official
capacity as a New York Consolidated Laws,
Penal Law §265.00(10) Licensing Officer,

Defendant.

Plaintiff, Montgomery Blair Sibley ("Sibley"), pursuant to the anomalous authority of this Court, respectfully requests that this Court *procedendo ad justicium* upon Sibley's Motion to Proceed in *forma pauperis* which, as of today, has been pending for **twenty-eight (28)** days since **July 9, 2019**. Sibley is and will continue to be prejudiced by they delay for, *inter alia*, the loss of time to timely serve the Complaint in the ninety (90) day window as required by FRCP Rule 4(m).

In this matter in which Sibley alleges the loss of a fundamental right secured under the Second Amendment, the harm caused by the Court's delay is irreparable. *Accord: Elrod v. Burns*, 427 U.S. 347, 373, (1976)(plurality opinion)("[T]he loss of constitutional freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.")

WHEREFORE, Sibley respectfully request this Court *procedendo ad justicium* upon Sibley's Motion to Proceed in Forma Pauperis.

MONTGOMERY BLAIR SIBLEY

Plaintiff

189 Chemung Street

Corning, N.Y. 14830

(607) 301-0967

montybsibley@gmail.com

By: _____


Montgomery Blair Sibley

Blair Sibley
189 Chemung Street
Corning, NY 14830

ROCHESTER NY 144

05 AUG 2019 PM 3 L



Office of the Clerk
2120 United States Courthouse
100 State Street
Rochester, New York 14614-1387

14614-131745

